

REMARKS/ARGUMENTS

Claims 1-23 were included in the original filing of this application. The Listing of Claims is provided for ease of examination by the Examiner but no claim amendments are being submitted with this Amendment.

Restriction Requirement

A Restriction Requirement was mailed August 11, 2006 that applied a restriction requirement to originally-filed claims 1-23. The Restriction Requirement stated that the application contains claims directed to a Species I (disclosed in Figure 2 and described on page 8, para. [0025] to page 9, para. [0027]) and to a Species II (disclosed in Figure 3 and described on page 9, para. [0028] to page 10, para. [0031]). The Restriction Requirement, however, did not place the pending claims in either of these species, but it instead requested the Applicant to elect one of the species for prosecution and to also identify which claims read on such elected species.

In response, Applicant elects to initially prosecute the claims directed to Species II. Applicant believes that claims 1-23 or all pending claims are readable on this elected species.

This election is made with traverse. The restriction is traversed because the Examiner indicates that currently "no claims are generic." However, it appears that at least independent claim 1 is generic relative to Species I and II (as these species are defined by the Examiner). Hence, Applicant disagrees with this characterization of the claims and their coverage. Further, Figure 3 may be construed as a more specific example of the embodiment shown in Figure 2. However, the Restriction Requirement indicates that "there is no disclosure of a relationship between the species." But, at the end of para. [0027], Applicant indicates that the specific configuration of the filter 230 and the controller 240 may be varied to practice the invention and that it may be useful to provide a more "particular embodiment of a preamplifier" to further describe the features of the invention. This sentence is

followed by the discussion of the preamplifier 310 in Figure 3, which provides a relationship between the two illustrated preamplifiers 210 and 310.

Conclusions

In view of the above, it is requested that all the pending claims in the case be fully examined. If the Examiner has any questions regarding this election of Species II, he is encouraged to call Applicant's attorney at the number provided below.

No fee is believed due with this submittal. However, any fee deficiency associated with this submittal may be charged to Deposit Account No. 50-1123.

Respectfully submitted,

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